

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Cinemas - Permission to grant Cinematograph License to M/s. Gayatri Hotels & Theatres Private Limited, Hyderabad to run Multiplex Theatre with (5) Screens at the erstwhile Maheswari and Parameshwari Theatres, Pr. No. 4-2-631 to 663 & 654, Kachiguda X Roads, Hyderabad – Accorded – Orders - Issued.

HOME (GENERAL. A.1) DEPARTMENT

G.O.Ms.No. 169

Dated:09-10-2012

Read the following:-

1. From the Authorised Signatory, Gayatri Hotels & Theatres Private Ltd., Hyderabad Letter Dt: 06.06.2012.
2. From the Commissioner of Police, Hyderabad City Lr.No. L&O/A3/654/2012, Dt:21.06.2012.
3. From the Commissioner of Police, Hyderabad City Lr.No. L&O/A3/654/2012, Dt:28.07.2012.
4. From the Authorised Signatory, Gayatri Hotels & Theatres Private Ltd., Hyderabad Letter Dt:20.08.2012.
5. From the Commissioner of Police, Hyderabad City Lr.No. L&O/A3/654/2012, Dt:24.08.2012.
6. Government. Lr. No. 17120/Genl.A.1/2012, Dt:31.08.2012.
7. From the Director General, State Disaster Response & Fire Services, AP, Hyd. Lr. Rc.No.11476/B1/LC/2000, Dt: 03.09.2012.
8. Government Lr. No. 17120/Genl.A.1/2012, Dt:05.09.2012.
9. From the Managing Director, Hyderabad Metro Rail Limited Lr.No. 22/GM(LM)/HMR/2012, Dt:07.09.2012.

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ORDER:

In the reference first read above, M/s. Gayatri Hotels & Theatres Private Ltd., Hyderabad has requested the Commissioner of Police, Hyderabad City to grant Cinematograph License to run Multiplex Theatre with (5) Screens at the erstwhile Maheswari and Parameshwari Theatres, Pr. No. 4-2-631 to 663 & 654, Kachiguda X Roads, Hyderabad and informed that they have given the right to M/s.INOX Leisure Limited to operate the said Multiplex Theatre.

2. In the reference fourth read above, M/s. Gayatri Hotels & Theatres Private Ltd., Hyderabad has requested the Commissioner of Police, Hyderabad City for grant of permission for classification of seats, fixing of rates of admission in the proposed (5) Screens and also to screen (5) shows a day per screen between 8.00 AM to 1.30 AM.

Screen No.	Class	No. of Seats	Proposed rate of admission	Proposed rate of admission for 3D movies
Screen I	Executive	236	Rs.200/-	Rs.300/-
Screen II	Executive	161	Rs.200/-	Rs.300/-
Screen III	Executive	139	Rs.200/-	Rs.300/-
Screen IV	Executive	241	Rs.200/-	Rs.300/-
Screen V	Executive	244	Rs.200/-	Rs.300/-
Total No. of seats		1021		

3. The Commissioner of Police, Hyderabad City in the reference 2nd read above has stated that the Govt. vide G.O.Ms.No.486, MA&UD (M1) Department, dated:07.07.2007 have framed rules for Multiplex Theatres viz. “The Andhra Pradesh Rules for Construction and Regulation of Multiplex Complexes, 2007”. As per para 6 (A) of the said G.O., the following requirements have to be fulfilled:-

- i). The requirement of furnishing traffic impact study and based on the traffic impact study a traffic management plan for such complex will be required to be undertaken through a qualified consultant.
- ii). N.O.C. from the Police Department (Traffic) and D.G. Fire Service will be pre-requisite for considering the building permission by the Building Approving Authority i.e. GHMC.
- iii). Multiplex complexes shall not be allowed in congested areas and Settlement areas/Abadi/Gram khantam areas, in areas restricted for High Rise Buildings and abutting Major Road Junctions.
- iv). Multiplex complexes shall not be allowed in purely residential areas / localities.

4. The Commissioner of Police, Hyderabad has also stated that in addition to the above provisions laid down in G.O.Ms.No.486, MA&UD (M1) Department, dated: 07.07.2007, the applicant is required to follow procedure laid down in A.P. Cinemas (Regulation) Rules, 1970 under Rule-8 & 9 and seek N.O.C./Permission for construction of multiplex from his Department. The Commissioner has stated that the Management of M/s. Gayatri Hotels & Theatres Private Limited has taken the Building Permission from Greater Hyderabad Municipal Corporation authorities and constructed the Multiplex Complex without taking No Objection Certificate/permission from his Department as required under para 6 (A) of G.O.Ms.No.486 Dt:07.07.2007 and Rule-8 & 9 of A.P. Cinemas (Regulation) Rules, 1970. Thus, the Management has violated the Government orders and rules specified under A.P. Cinemas (Regulation) Rules, 1970.

5. The Commissioner of Police, Hyderabad has further stated that there are no specific guidelines/orders formulated in the G.O.Ms.No.486, MA&UD (M1) Department, dated: 07-07-2007 (or) in the A.P. Cinemas (Regulation) Rules, 1970 regarding action to be taken/penalty to be imposed against the Management for the above violation of Government orders and rules specified under A.P. Cinemas (Regulation) Rules, 1970.

6. The Commissioner of Police, Hyderabad has requested the Government to examine the case and issue clarification on action to be taken/penalty to be imposed against the Management of M/s. Gayatri Hotels & Theatres Pvt. Ltd. for the above violation of Government orders and rules specified under A.P. Cinemas (Regulation) Rules, 1970.

7. Subsequently, the Commissioner of Police, Hyderabad in the reference third read above has stated that the traffic branch of Hyderabad City Police has inspected the proposed Multiplex Theatre and submitted report along with the Traffic Impact Study report.

8. The Addl. Commissioner of Police, Traffic, Hyderabad in his Lr. No.Tr.T3/1722/2012, Dt: 26.07.2012 has stated that the existing multiplex is located at two roads corners i.e. Kachiguda cross roads. As per norms, the road width of minimum 18 meters should be available in front to the Multiplex whereas the existing road in front of the Multiplex is 21.8 meters in front side. This road is for one way traffic from Ramakote to Kachiguda cross roads (restricted by the Hyderabad Traffic Police) since long time. Another road is of 22 meters width which is running one way traffic from Kachiguda cross roads towards Sultan Bazar since long time. The total built up area of the Multiplex is 14,938 Sq.mtrs and the parking area required as per G.O.Ms.No. 486, MA&UD (M1) Department, dated: 07-07-2007 is 8,981.01 Sq.mtrs. The available parking area is 11,446.89 Sq.mtrs, in three basement floors.

9. The Addl. Commissioner of Police, Traffic, Hyderabad has further stated that he along with DCP, Traffic-II, Hyderabad and ACP, Traffic-VI, Hyderabad visited the said Complex, physically checked all the 3 levels provided for parking, the setbacks given, the 5 theatres on the topmost floors and stated that there is absolutely no deviation from the plan. He has stated that staggering of shows is compulsory and Traffic Impact Study (TIS) conducted by Pradeep Technical Consulting Services Private Limited concludes that there will no impact on adjacent roads based on technical data and study/analysis.

10. The Addl. Commissioner of Police, Traffic, Hyderabad has finally recommended for issue of license to the said Multiplex from traffic point of view.

11. The Commissioner of Police, Hyderabad vide reference fifth read above has submitted the following technical authorities / Field Officer's reports and the details are as follows:

i). Director General, State Disaster Response & Fire Services, A.P, Hyderabad:

The Director General, State Disaster Response & Fire Services in his letter dated: 1-8-2012 stated that their office has issued a "No Objection Certificate" dated: 21-3-2012 for occupancy to the existing Multi Storeyed Budding (Multiplex) of the Gayatri Hotel & Theatres Pvt. Ltd., D.No.6-3-631 to 663, 4-2-654 to 663 and 4-2-654/1, situated Kachiguda X Road, Hyderabad with Basement-I, II & III, Ground Floor + 3 upper floor for Mercantile Occupancy (Big Bazar) + Fourth floor-Food Court and Entertainment Zone, 5th and 6th Floors for Multiplex occupancy with five screens under provision of G.O.Ms.No.154, M.A & U.D. Department, Dt: 13.03.2007 and Govt. Memo No.4011/M1/2008, M.A & U.D. Department, dt:-19-5-2008. Their Department has no objection to run the above Multiplex.

ii). Executive Engineer (R&B), South Buildings Division, Hyderabad:

The Executive Engineer (R&B), South Buildings Division in his letter dated: 04.08.2012 has informed that the Multiplex Theatre with (5) screens was inspected along with the theatre management. A certificate to this effect that the Building is fit for the purpose and affords appropriate shelter for the period of 5 years w.e.f 1-8-2012 to 31-7-2017 issued subject to the following conditions:-

- 1). The building be got inspected every year.
- 2). Necessary NOC be obtained from Fire Fighting Department to run Multiplex theatres.
- 3). Necessary Mist equipment portable at every Screen before commencement of cinema viewing to the public be provided as per the directions of Fire Fighting Dept.
- 4). Necessary guidelines be maintained as per prevailing G.Os of Multiplex.

iii). Deputy Electrical Inspector, Hyderabad.

The Deputy Electrical Inspector, Hyderabad in his letter dt:-03.08.2012 has stated that he has issued Electrical Certificates bearing Nos.115, 116, 117, 118 & 119 in the Form "D" to M/s Gayatri Hotels and Theatres Pvt. Ltd. for (5) Screens valid from 03-08-2012 to 31-12-2016.

iv). Asst. Medical Officer of Health, Circle No.8 GHMC, Hyd.

The Asst. Medical Officer of Health, Greater Hyderabad Municipal Corporation, Hyderabad in his letter dated: 21-8-2012 has stated that Multiplex is fit for occupancy from the sanitation and public health point of view. Hence, No Objection Certificate is issued to M/s Gayatri Hotels and Theatres Pvt. Ltd. from the public health point of view, subject to fulfillment of the following conditions:-

- i). The toilets / urinals shall be maintained properly at all times.
- ii). The wet and dry garbage shall be collected separately and disposed off as per GHMC rules.
- iii). The food counters shall be maintained as per existing rules.
- iv). Potable drinking water should be provided.

v). Deputy Commissioner of Police, East Zone, Hyd

The Deputy Commissioner of Police, East Zone, Hyderabad has stated that the ACP Sultan Bazar in Lr. dt:-6.8.2012 has informed that he personally inspected the above Multiplex which is constructed at the erstwhile Maheshwari and Parmeshwari Theatres at Pr. No.4- 2-631 to 663 & 654, Kachiguda X Roads, Hyderabad. The Multiplex consists of 3-Basements for parking, Ground to 4 upper floors for shopping mall, fun zone & food court and 5th & 6th floors for Multiplex Theatres with (5) screens. M/s. Gayatri Hotels

Pvt. Ltd. leased the premises of Multiplex Theatres of (5) screens to M/s INOX Leisure Ltd., Mumbai for running the same. The total seating capacity of the Multiplex Theatre is 1021 seats and Screen wise details are as follows:

1. Screen — I having 236 seats
2. Screen — II having 161 seats
3. Screen — III having 139 seats
4. Screen — IV having 241 seats
5. Screen — V having 244 seats

The Assistant Commissioner of Police further informed that the documents submitted by the applicant have been verified and are genuine. The applicant Company M/s Gayatri Hotels & Theatres Pvt. Ltd. is absolute lawful possession of the premises and the company leased the premises of Multiplex theatres of (5) Screens to M/s INOX Leisure Ltd., Mumbai for (20) years to run the same. No civil dispute on the land and no court cases are pending as per the version of the applicant. The lease land documents and other link document are in proper order. The Management has provided 1 DFMD and 4 HHMDs to check the audience entering the theatre from security point of view. The applicant has not come to adverse notice of Police.

Finally, the Asst. Commissioner of Police, Sultan Bazar has stated that there is no objection for grant of Cinematograph Licence to M/s Gayatri Hotels and Theatres Pvt. Ltd., to the run the Multiplex Theatre with 5-Screens at the erstwhile Maheswari and Parameswari Theatres at Pr. No.4-2-631 to 663 & 654, Kachiguda X Roads, Hyderabad. The Deputy Commissioner of Police, East Zone, Hyd. has stated that the request may be considered.

vi). The Commissioner, Greater Hyderabad Municipal Corporation;

The Commissioner, Greater Hyderabad Municipal Corporation vide Lr. No.345/CSC/TP-6/2007/2829, dt:-17-8-2012 has informed that the applicants have submitted Building application to GHMC on 31.5.2007 seeking permission for construction of Multiplex after dismantling the existing two theatres and that the proposal was examined as per rules in G.O.Ms.No.86, M.A & U.D Dept., Dt:-3-3-2006 which was in force at that time. The Director General, Fire Services has issued No Objection Certificate vide Rc. No.11476/B1/2006, dt:-31.3.2007 and dt:-14.8.2007 for the proposed construction of Multiplex. The applicant agreed for surrender of affected area admeasuring 714.80 sq. meters in proposed 80 feet and 100 feet wide road widening free of cost. As per the recommendations of the Multi Storied Building Committee, the proposals were considered and permission was granted in permit No.85/67 dt:01.03.2008. The application for construction of Multiplex was received and processed prior to issue of G.O Ms. No.486, dt:-07.7.2007, therefore the conditions/requirements as per the said G.O were not taken into consideration.

12. The Director General , Fire Services in the reference seventh read above has stated that the Additional Commissioner, Town Planning Section, Municipal Corporation of Hyderabad Vide Lr. No. 295/CSC/TP6/2006/563, Dt: 29.03.2007 has informed that the open spaces provided in the said Multiplex are less than the provisions of G.O.Ms.No.86, Dt:03.03.2006 under Table-IV, Govt. Memo. 25920/M1/02, MA, Dt: 29.04.2003, G.O.Ms.No. 46, Dt: 10.03.2006 and G.O.Ms.No. 135, Dt: 03.06.2006. He has further informed about the widening of the Corridor Road 100' on the Eastern side and also in the proposed 80' wide road on the Northern side as per the approved Road Development Plan of Corridor Road. The Additional Commissioner, Town Planning Section, Municipal Corporation of Hyderabad also gave consent for surrendering 714.80 Sq. Mtrs. Free of cost for the Road widening and informed the Management of Multiplex to submit a "No Objection Certificate" for Occupancy from the Fire Service Department on the fire safety aspect for taking further action.

13. Accordingly, the Fire Service Department have issued "Provisional No Objection Certificate" to M/s. Gayatri Hotels & Theatres Pvt. Ltd. for construction of "Multiplex" at Kachiguda vide Lr.Rc.No.11476/B1/2006, Dt: 31.03.2007, duly furnishing the details as follows:

- (a). The builder has proposed the following open spaces for the Multi-Storeyed Building (Multiplex)

Setbacks from Ground Floor to 1st Floor

Side	Open Space required as per NBC	Open space provided	Remarks
North	10.00 Meters	10.00 Meters	Nil
West	10.00 Meters	10.00 Meters	Nil
South	10.00 Meters	10.00 Meters	Nil
East(Front)	12.00 Meters	10.00 Meters	Short by 02.00 Meters

Setbacks from 2nd Floor onwards

Side	Open Space required as per NBC	Open space provided	Remarks
North	10.00 Meters	08.00 Meters	Short by 02.00 Meters
West	10.00 Meters	08.00 Meters	Short by 02.00 Meters
South	10.00 Meters	08.00 Meters	Short by 02.00 Meters
East(Front)	12.00 Meters	08.00 Meters	Short by 04.00 Meters

- (b). The Director General, Fire Services further stated that the Municipal Corporation of Hyderabad has informed that they would not have any objection to consider relaxation sought for with reference to setbacks as proposed by the builder under the Revised Common Building Rules, 2006 issued vide G.O.Ms.No. 623, MA, Dt: 01.12.2006, subject to NOC from Fire Services Department.
- (c). As per G.O.Ms.No. 17, MA & UD, Dt: 10.01.2007, the open spaces shall not be less than 07.00 Mtrs. In the present case, 10.00 Mtrs. from Ground Floor to 1st Floor and 08.00 Mtrs. from 2nd Floor onwards as minimum open spaces were proposed.

14. The Director General, Fire Service Dept. has stated that in view of the above, “No Objection Certificate” for Occupancy was issued on 21.03.2012 based on High Power Committee recommendations under the provisions issued vide G.O.Ms.No.154, MA & UD Dept., Dt: 13.03.2007 and Govt. Memo. No. 4011/M.1/2008, MA & UD Dept., Dt: 19.05.2008.

15. In the reference ninth read above, the Managing Director, Hyderabad Metro Rail has informed that Hyderabad Metro Rail Limited (HMRL) has no objection for grant of cinematograph License to run Multiplex Theatres in premises No. 4-2-631 to 663 & 654, Kachiguda ‘X’ Roads, Hyderabad.

16. Government has examined the matter carefully. The present Multiplex complex is constructed at erstwhile Maheshwari 35 MM and Parameshwari 70 MM theatres place and they were given Form-B License on 07.08.1981 with a capacity of 1088 and 1498 seats respectively and the Additional Commissioner of Police, Traffic, Hyderabad has now given traffic clearance. It has also been observed that the applicant agreed to surrender affected area admeasuring 714.80 sq. meters in proposed 80 feet and 100 feet wide road widening at free of cost, therefore, Government has decided to accept the short fall in setbacks by 2.00 Meters on East (Front) from Ground floor to 1st floor and on North, West, South sides from 2nd floor onwards and 4 meters on East (Front) from 2nd floor onwards in respect of Multiplex Theatre constructed by M/s. Gayatri Hotels & Theatres Private Limited, Hyderabad.

17. Accordingly, in exercise of powers conferred under section 12 of A.P. Cinemas (Regulation) Act, 1955, Government hereby relax rule 6(A)(iii) of G.O.Ms.No.486, MA&UD (M1) Department, dated:07.07.2007 and accept the short fall in setbacks by 2.00 Meters on East (Front) from Ground floor to 1st floor and on North, West, South sides from 2nd floor onwards and 4 meters on East (Front) from 2nd floor onwards in respect of Multiplex Theatre constructed by M/s. Gayatri Hotels & Theatres Private Limited, Hyderabad.

18. Government, in exercise of the powers conferred under clause (a) of sub-rule (3) of rule 11 (B) of A.P. Cinemas (Regulation) Rules, 1970, hereby accord permission to grant Cinematograph License to M/s. Gayatri Hotels & Theatres Private Limited, Hyderabad to run Multiplex Theatre with (5) Screens at the erstwhile Maheswari and Parameshwari Theatres, Pr. No. 4-2-631 to 663 & 654, Kachiguda X Roads, Hyderabad and to screen (5) shows per day during 9.00 A.M. to 1.00 A.M. (after mid-night) in relaxation of item No.43 of 'B' Form licensing condition. The (5) shows per day are permitted during 9.00 A.M. to 1.00 A.M. (after midnight), with staggered timings of shows between the (5) Screens, such that there is sufficient gap of time to avoid crowding.

19. Government also sanction the following rates of admission to M/s. Gayatri Hotels & Theatres Private Limited, Hyderabad to run the Multiplex Theatre with (5) Screens at the erstwhile Maheswari and Parameshwari Theatres, Pr. No. 4-2-631 to 663 & 654, Kachiguda X Roads, Hyderabad. The total number of seats in each Screen shall be treated as Single Class.

Screen No.	Class	No. of Seats	Rate of admission for 3-D movies	Rate of admission for all other movies
Screen I	Executive	236	Rs.200/-	Rs.150/-
Screen II	Executive	161	Rs.200/-	Rs.150/-
Screen III	Executive	139	Rs.200/-	Rs.150/-
Screen IV	Executive	241	Rs.200/-	Rs.150/-
Screen V	Executive	244	Rs.200/-	Rs.150/-
Total No. of seats		1021		

20. Permission for issue of Cinematograph License is granted subject to the following conditions being fulfilled by the management / lessee:-

- The area earmarked for lobby admeasuring 4560 Sq.ft. for the use of cinegoers should not be let out for any commercial purpose in future.
- No vehicle shall be parked or allowed to stand in such a way as to obstruct exits or impede the rapid dispersal of persons accommodated, in the event of fire or panic.
- The CCTV system shall be maintained without any interruption.
- Emergency evacuation plan shall be drawn and got approved by the Licensing authority within one month. (Uphaar theatre- Hon'ble Supreme Court Directions).
- A short documentary shall be screened during every show by showing the exits, emergency escape routes and instructions as to what to do and what not to do in the case of fire or other hazards (Uphaar theatre – Hon'ble Supreme Court Directions).
- The staff/ushers including security staff should be periodically trained to operate the fire safety equipments during emergency in fire drills and evacuation procedures to provide support to the patrons in case of fire or other calamity. Mock drills shall be conducted once in every 6 months. (Uphaar theatre- Hon'ble Supreme court Directions)
- While the theatres are entitled to regulate the exit through doors other than the entry door, under no circumstances, the entry door (which can act as an emergency exit in the event of fire or other emergency) should be bolted from outside. At the end of the show, the ushers may request the patrons to use the exit doors by placing a temporary barrier across the entry gate which should be easily movable (Uphaar Theatre – Hon'ble Supreme Court Directions).
- The emergency department telephone Nos. of nearest Hospitals, Police Station, and Fire Department shall be displayed in every show.
- Night vision cameras to be installed specially at the box office to capture the images of the patrons buying tickets during the late evening hours.
- All gangways, exits and treads of steps and stairways shall be maintained with non-slippery surfaces at all times.

- k. The management should facilitate periodical inspection by Fire Officer concerned.
- l. The management should obtain insurance coverage for all the employees and audience/visitors/vendors.
- m. The patrons shall be provided with lifts/escalators for exit at the end of the shows on par with such facility provided at the time of entering the theatre.
- n. The Management shall ensure all safety measures including fire safety measures as prescribed by Government National Building Code other statutes or orders issued by Government from time to time.
- o. The Management shall not convert or utilize any part of Parking area admeasuring 11,446.89 Sq.Mts. at basement areas for any other purpose.
- p. Conditions stipulated by the Technical authorities / Field Officers in their inspection reports as also the suggestions made in the traffic impact study, shall be implemented within (6) months from the date of issue of license.

21. Finally, the Licensing Authority is directed to issue Cinematograph License to M/s. Gayatri Hotels & Theatres Private Limited, Hyderabad to run Multiplex Theatre with (5) Screens at the erstwhile Maheswari and Parameshwari Theatres, Pr. No. 4-2-631 to 663 & 654, Kachiguda X Roads, Hyderabad with the condition that penalty, if any, to be levied by Government for violation of rule 6A(ii) of G.O.Ms.No.486, MA&UD (M.1) Dept., Dt:07.07.2007 and rule 8 & 9 and other rules of A.P. Cinemas (Regulation) Rules, 1970 shall be made good by the Management of M/s. Gayatri Hotels & Theatres Private Limited, Hyderabad.

22. The Commissioner of Police, Hyderabad shall take necessary further action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M. CHAYA RATAN
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

The Commissioner of Police & Licensing Authority, Hyderabad City, Hyd.

The Director General, State Disaster Response & Fire Services, AP, Hyd.

The Commissioner, Greater Hyderabad Municipal Corporation, Hyd.

The Managing Director, Hyderabad Metro Rail Limited, Hyderabad.

Copy to:

The Additional Commissioner of Police (Traffic), Hyderabad

The Assistant Commissioner of Police, Sultan Bazar Division, Hyd.

The Executive Engineer (R&B), South Buildings Division, Hyd.

The Deputy Electrical Inspector, Hyderabad, Mint Compound, Hyd – 500 063.

The Asst. Medical Officer of Health, Circle No.8, GHMC, Abids, Hyderabad,

The P.S. to Minister for I&PR and Cinematography.

The P.S. to Chief Secretary to Government.

The P.S. to Special Chief Secretary to Government, Home Department.

The P.S. to Principal Secretary to Govt., MA & UD Dept.

M/s. Gayatri Hotels & Theatres Private Limited, Pr. No. 4-2-631

to 663 & 654, Kachiguda X Roads, Hyderabad.

SF/SCs.

// Forwarded: By Order//

SECTION OFFICER